

REMARKS

Reconsideration of this application is respectfully requested. Claims 1 and 5 have been amended; and claims 3, 4, 12, 13, 15 and 20 have been previously canceled. As such, claims 1, 2, 5-11, 14 and 16-19 are in this application and are presented for the Examiner's consideration in view of the following comments.

Claims 1 and 5 have been amended to put the claims in better condition for appeal.

Claims 14 and 16-18 have been rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent Publication 2003/0045299 published March 6, 2003 for New (*New*). Applicants respectfully continue to disagree.

The Examiner states:

[a]s can be seen in paragraph 29 [of *New*], correlation peaks are located at the start of the slots when a specific PSC is used (i.e. determination of a frame as a function of peak correlation).

Official Action, p. 4, emphasis added.

Respectfully, the Examiner is wrong. Simply put – the PSC provides slot synchronization. As clearly stated in *New* – after slot synchronization the mobile station then attempts frame synchronization. In other words, the identification of where a slot starts has nothing to do with determining where the start of a frame is – in fact a completely different sequence is used for frame correlation – the secondary synchronization code (SSC). (*New*, paragraph [0026].) As a result, Applicants respectfully disagree with the Examiner's assertion that determining where a slot starts as a result of a PSC correlation peak somehow translates into determining a frame as function of the PSC correlation peak. This is simply not the case in the wireless system described in *New*. The start of a frame is determined as a function of the SSC correlation peak. (*New*, paragraph [0029].)

Second, Applicants' claim 14 clearly requires **determining a number of frames to process as a function of the peak correlation value found during slot synchronization**. Nowhere does *New* describe determining such a number using the

peak correlation value found during slot synchronization. It simply is not there.

Indeed, turning now to paragraph 40 of *New*:

[t]he number of verification searches performed by the embodiments depends upon the stage where a failure may occur. At step 330, wherein the processor determines whether more verification searches are needed, the processor can use predetermined quantity values that correspond to the stage at which the verification search is called. For example, if a failure occurs at step 304, i.e., no slot peaks are found, then at step 330, the processor can refer to a lookup table that stores a low value, e.g., 1 or 2, for the total number of verification searches to be performed. However, if a failure occurs at step 320, i.e., the mobile station cannot be synchronized to the timing of the broadcast channel, then at step 330, the processor can refer to a lookup table that stores a higher value, e.g. 2 or 3, for the total number of verification searches to be performed. The actual range of numbers in the lookup table does not affect the scope of the embodiments herein.

New, paragraph 40, emphasis added.

There is no description in this paragraph of *New* that this “number” is determined from a peak correlation value found during slot synchronization as required by Applicants’ claim 14.

As a result of the above, Applicants respectfully submit that claim 14 is not anticipated by *New*. Consequently, dependent claims 16, 17 and 18 are also not anticipated by *New*.

Claims 1, 2, 5-11 and 19 have been rejected under 35 U.S.C. §103(a) as being unpatentable over *New* in view of U.S. Patent Publication 2004/0161020 published August 19, 2004 for Mathew et al. (*Mathew*).

The combination of *New* and *Mathew* does not yield Applicants’ claimed invention for the reasons describe above with respect to Applicants’ claim 14. In particular, *New* does not describe or suggest the requirements of claim 1, described above. Nor is this deficiency remedied by *Mathew*. Nowhere does *Mathew* describe, or suggest, using a peak correlation value determined during slot synchronization for determining the number of frames to process during frame synchronization as required by Applicants’ claim 1. The Examiner refers to paragraphs 37, 38 and 39 of *Mathew*. Again, respectfully, the Examiner is wrong. Paragraph 37, of *Mathew*, merely

describes determine the scrambling code group. There is no mention in paragraph 37, of *Mathew*, of using a peak correlation value determined during slot synchronization for determining the number of frames to process during frame synchronization as required by Applicants' claim 1. Likewise, there is no mention in paragraph 39, of *Mathew*, of using a peak correlation value determined during slot synchronization for determining the number of frames to process during frame synchronization as required by Applicants' claim 1. Paragraph 39, of *Mathew*, merely describes the overall process of slot synchronization, frame synchronization and determining the scrambling code group. Finally, paragraph 38, of *Mathew*, states:

Another algorithm for determining frame timing and scrambling code group is known as coherent detection. In coherent detection, the P-SCH is used for deriving a channel estimate and this channel estimate is used to correct the phase of the S-SCH for combining. Steps 2 and 3 of coherent detection are the same as the non-coherent detection algorithm, described above.

Mathew, paragraph 38, emphasis added.

As underlined above, the P-SCH is used to correct phase in *Mathew*. This does not describe or suggest using a peak correlation value determined during slot synchronization for determining the number of frames to process during frame synchronization as required by Applicants' claim 1.

In view of the above, the combination of *New* and *Mathew* does not describe, or suggest, the requirements of Applicants' claim 1. Therefore, claims 2 and 5-11 are also patentable over *New* in view of *Mathew*.

With respect to claim 19, Applicants traverse for the reasons described above with respect to similar requirements found in Applicants' claim 14.

In view of the above, claims 1-11 and 19 are patentable over *New* in view of *Mathew*.

As it is believed that all of the objections set forth in the Official Action have been fully met, favorable reconsideration and allowance are earnestly solicited. If, however, for any reason the Examiner does not believe that such action can be taken at

this time, it is respectfully requested that the Examiner telephone Applicants' attorney in order to overcome any additional objections that the Examiner might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 07-0832 therefor.

Respectfully submitted
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